

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

UNITED STATES OF AMERICA)
) Case No. 4-10-cr-41
v.)
) MATTICE / LEE
TIMOTHY SHANE KELLUM)

O R D E R

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) accept Defendant's plea of guilty to the Bill of Information; (2) adjudicate Defendant guilty of the charges set forth in the Bill of Information; (3) defer a decision on whether to accept the plea agreement until sentencing; and (4) find defendant shall remain in custody until sentencing in this matter [Doc. 11]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 11] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to the Bill of Information is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in the Bill of Information;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

(4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Monday, April 11, 2011 at 9:00 a.m. [EASTERN]** before the Honorable Harry S. Mattice, Jr.

SO ORDERED.

ENTER:

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE